

REMARKS

Claims 1-9, 14, 21, 23, 24 and 28-31 are pending in this application. By this Amendment, 1, 14, 23, 24, 28 and 29 are amended; and claims 10-13, 15-20, 22 and 25-27 are canceled.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The courtesies extended to Applicant's representative by Examiners Akkapeddi and Duong at the interview held December 19, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

**I. THE CLAIMS SATISFY THE REQUIREMENTS UNDER
35 U.S.C. §112, SECOND PARAGRAPH**

The Office Action rejects claims 1, 26 and 28 under 35 U.S.C. §112, second paragraph, as being indefinite. In response, claims 1 and 28 are amended, and claim 26 is canceled to obviate the rejection. Withdrawal of the rejection under 35 U.S.C §112 is respectfully requested.

II. THE CLAIMS DEFINE PATENTABLE SUBJECT MATTER

The Office Action rejects claims 1-31 under 35 U.S.C. §103(a) over U.S. Patent No. 6,067,131 to Sato and U.S. Patent No. 6,449,022 to Fukata et al. This rejection is respectfully traversed.

Fukata et al. does not constitute "prior art." The effective prior date for Fukata is March 30, 2000. However, the PCT filing date relating to this application is December 27, 1999. Thus, Fukata does not constitute prior art.

Furthermore, Sato and Fukata et al. do not teach, disclose or suggest "a second conductive layer comprising a film of the first conductive layer as a storage capacitor line, at least partially overlapping the data lines in a plan view, and electrically connected to the second storage capacitor electrode," as recited in claim 1, and as similarly recited in claim 28.

Fukata et al. does not disclose or suggest any such conductive layer partially overlapping the data lines in a plan view and being electrically connected to a second storage capacitor electrode.

Sato does not make up for the deficiencies of Fukata et al. Instead, Sato's auxiliary capacitor 13 shown in Fig. 1A is well removed from the bus line pattern 9 with no disclosure of a conductive layer being electrically connected to a storage capacitor electrode.

For at least these reasons, it is respectfully submitted that claims 1 and 28 are patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Applicant respectfully requests that the rejections under 35 U.S.C. §103(a) be withdrawn.

III. CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9, 14, 21, 23, 24 and 28-31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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